

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

GOLDEN BETHUNE-HILL, *et al.*,

Plaintiffs,

v.

VIRGINIA STATE BOARD OF ELECTIONS,  
*et al.*,

Defendants.

Civil Action No. 3:14-cv-00852-REP-  
GBL-BMK

**CONSENT MOTION TO CONDUCT THE DEPOSITION OF DR. JONATHAN  
KATZ BEYOND THE DISCOVERY CUTOFF DATE**

Plaintiffs, Defendants, and Intervenor-Defendants (collectively, the “Parties”) have conferred and agree that an extension of the Court-ordered discovery deadline is appropriate in order to allow the Parties to most efficiently resolve a discovery dispute regarding the deposition of Dr. Jonathan Katz.

The parties originally scheduled the deposition of Dr. Jonathan Katz for May 20, 2015, after Dr. Katz was designated as a testifying expert witness by Defendants. After Defendants withdrew Dr. Katz as a testifying expert witness, the parties disputed whether Dr. Katz’s deposition could proceed. After a May 14, 2015, telephonic conference with the Court regarding the status of Dr. Katz, the parties conferred further and resolved all pending issues concerning Dr. Katz and made arrangements for Dr. Katz’s deposition to be taken.

As a result, the parties do not believe that further briefing or argument to the Court regarding Dr. Katz is necessary. Dr. Katz is not, however, available for a deposition during the week of May 18-22, 2015. All parties have agreed that Dr. Katz and all parties are available to conduct Dr. Katz's deposition on May 28, 2015 at the offices of Plaintiffs' counsel in Los Angeles, California.

The Initial Pretrial, Scheduling, and Discovery Order entered on March 2, 2015 (the "Order"), states that "[t]he discovery cutoff shall be May 22, 2015." (Order, ¶ 6.). The parties therefore request that the Court's Order be modified as necessary to authorize the parties to conduct the deposition of Dr. Jonathan Katz on May 28, 2015.

Pursuant to the Court's ECF Policies and Procedures, a consent order reflecting this proposed modification will be filed with the clerk's office.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 20th day of May, 2015, I caused the foregoing to be electronically filed with the Clerk of this Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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